

## § 205.607

(18) Saffron extract color (pigment CAS # 1393-63-1).

(19) Turmeric extract color (CAS # 458-37-7).

(e) Dillweed oil (CAS # 8006-75-5).

(f) Fish oil (Fatty acid CAS #'s: 10417-94-4, and 25167-62-8)—stabilized with organic ingredients or only with ingredients on the National List, §§ 205.605 and 205.606.

(g) Fortified cooking wines.

(1) Marsala.

(2) Sherry.

(h) Fructooligosaccharides (CAS # 308066-66-2).

(i) Galangal, frozen.

(j) Gelatin (CAS # 9000-70-8).

(k) Gums—water extracted only (Arabic; Guar; Locust bean; and Carob bean).

(1) Hops (*Humulus lupulus*).

(m) Inulin-oligofructose enriched (CAS # 9005-80-5).

(n) Kelp—for use only as a thickener and dietary supplement.

(o) Konjac flour (CAS # 37220-17-0).

(p) Lecithin—unbleached.

(q) Lemongrass—frozen.

(r) Orange shellac-unbleached (CAS # 9000-59-3).

(s) Pectin (high-methoxy).

(t) Peppers (Chipotle chile).

(u) Starches.

(1) Cornstarch (native).

(2) Rice starch, unmodified (CAS # 977000-08-0)—for use in organic handling until June 21, 2009.

(3) Sweet potato starch—for bean thread production only.

(v) Tragacanth gum (CAS # 9000-65-1).

(w) Turkish bay leaves.

(x) Wakame seaweed (*Undaria pinnatifida*).

(y) Whey protein concentrate.

[72 FR 35140, June 27, 2007, as amended at 75 FR 77524, Dec. 13, 2010]

## § 205.607 Amending the National List.

(a) Any person may petition the National Organic Standard Board for the purpose of having a substance evaluated by the Board for recommendation to the Secretary for inclusion on or deletion from the National List in accordance with the Act.

(b) A person petitioning for amendment of the National List should request a copy of the petition procedures

## 7 CFR Ch. I (1–1–11 Edition)

from the USDA at the address in § 205.607(c).

(c) A petition to amend the National List must be submitted to: Program Manager, USDA/AMS/TMP/NOP, 1400 Independence Ave., SW., Room 4008–So., Ag Stop 0268, Washington, DC 20250.

[65 FR 80637, Dec. 21, 2000, as amended at 68 FR 61993, Oct. 31, 2003]

## §§ 205.608–205.619 [Reserved]

### STATE ORGANIC PROGRAMS

## § 205.620 Requirements of State organic programs.

(a) A State may establish a State organic program for production and handling operations within the State which produce and handle organic agricultural products.

(b) A State organic program must meet the requirements for organic programs specified in the Act.

(c) A State organic program may contain more restrictive requirements because of environmental conditions or the necessity of specific production or handling practices particular to the State or region of the United States.

(d) A State organic program must assume enforcement obligations in the State for the requirements of this part and any more restrictive requirements approved by the Secretary.

(e) A State organic program and any amendments to such program must be approved by the Secretary prior to being implemented by the State.

## § 205.621 Submission and determination of proposed State organic programs and amendments to approved State organic programs.

(a) A State organic program's governing State official must submit to the Secretary a proposed State organic program and any proposed amendments to such approved program.

(1) Such submission must contain supporting materials that include statutory authorities, program description, documentation of the environmental conditions or specific production and handling practices particular to the

## Agricultural Marketing Service, USDA

## § 205.640

State which necessitate more restrictive requirements than the requirements of this part, and other information as may be required by the Secretary.

(2) Submission of a request for amendment of an approved State organic program must contain supporting materials that include an explanation and documentation of the environmental conditions or specific production and handling practices particular to the State or region, which necessitates the proposed amendment. Supporting material also must explain how the proposed amendment furthers and is consistent with the purposes of the Act and the regulations of this part.

(b) Within 6 months of receipt of submission, the Secretary will: Notify the State organic program's governing State official of approval or disapproval of the proposed program or amendment of an approved program and, if disapproved, the reasons for the disapproval.

(c) After receipt of a notice of disapproval, the State organic program's governing State official may submit a revised State organic program or amendment of such a program at any time.

### § 205.622 Review of approved State organic programs.

The Secretary will review a State organic program not less than once during each 5-year period following the date of the initial program approval. The Secretary will notify the State organic program's governing State official of approval or disapproval of the program within 6 months after initiation of the review.

### §§ 205.623–205.639 [Reserved]

#### FEES

### § 205.640 Fees and other charges for accreditation.

Fees and other charges equal as nearly as may be to the cost of the accreditation services rendered under the regulations, including initial accreditation, review of annual reports, and renewal of accreditation, shall be assessed and collected from applicants for initial accreditation and accredited

certifying agents submitting annual reports or seeking renewal of accreditation in accordance with the following provisions:

(a) *Fees-for-service.* (1) Except as otherwise provided in this section, fees-for-service shall be based on the time required to render the service provided calculated to the nearest 15-minute period, including the review of applications and accompanying documents and information, evaluator travel, the conduct of on-site evaluations, review of annual reports and updated documents and information, and the time required to prepare reports and any other documents in connection with the performance of service. The hourly rate shall be the same as that charged by the Agricultural Marketing Service, through its Quality Systems Certification Program, to certification bodies requesting conformity assessment to the International Organization for Standardization "General Requirements for Bodies Operating Product Certification Systems" (ISO Guide 65).

(2) Applicants for initial accreditation and accredited certifying agents submitting annual reports or seeking renewal of accreditation during the first 18 months following the effective date of subpart F of this part shall receive service without incurring an hourly charge for service.

(3) Applicants for initial accreditation and renewal of accreditation must pay at the time of application, effective 18 months following February 20, 2001, a nonrefundable fee of \$500.00 which shall be applied to the applicant's fees-for-service account.

(b) Travel charges. When service is requested at a place so distant from the evaluator's headquarters that a total of one-half hour or more is required for the evaluator(s) to travel to such place and back to the headquarters or at a place of prior assignment on circuitous routing requiring a total of one-half hour or more to travel to the next place of assignment on the circuitous routing, the charge for such service shall include a mileage charge administratively determined by the U.S. Department of Agriculture and travel tolls, if applicable, or such travel prorated among all the applicants and certifying agents furnished the